Nova Scotia

PUBLIC TRUSTEE

ANNUAL REPORT

FOR

FISCAL YEAR ENDING MARCH 31, 2002

103-02660/

NOVA SCOTIA Public Trustee

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Our File Number:

October 7, 2002

The Honourable Michael G. Baker, Q.C.
Minister of Justice
Province of Nova Scotia
5151 Terminal Road, 4th Floor
Halifax, NS B3J 1A1

Dear Mr. Baker:

Pursuant to Section 47 of the *Public Trustee Act* I submit this Annual Report for the fiscal period ending March 31, 2002.

The Financial Statements and Auditor's Report for this fiscal period have been incorporated into and form part of the report.

Respectfully submitted,

M. Estelle Theriault, Q.C.
Public Trustee

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Printed on paper that contains recycled fibre

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PUBLIC TRUSTEE PROGRAM OF NOVA SCOTIA

SCOPE OF PROGRAM

The Office of Public Trustee is established under the *Public Trustee Act* and functions in reference to that Act and other Statutes wherein specific roles are prescribed for the Public Trustee, e.g. *Hospitals Act*, *Patient's Abandoned Property Act*, *Adult Protection Act*, *Guardianship Act*, *Probate Act*, *Presumption of Death Act*, etc.

The Public Trustee:

(1) manages estates of living persons who need services of a trustee, guardian, attorney or other fiduciary not readily available in the private sector to such living persons;

(2) administers estates of deceased persons and has standing to apply for grant of administration or administration with will annexed in any case where no grant of probate or administration has been issued;

(3) may consent to medical or surgical treatment of a mentally incompetent hospital patient when consent cannot be obtained from the patient's guardian, spouse or next-of-kin;

(4) acts as guardian *ad litem* or representative in litigation for minor, incompetent, deceased, missing or unascertained litigants in respect to whom a court makes representation orders.

STATUS OF PUBLIC TRUSTEE

(1) The Public Trustee is a corporation sole under that name with perpetual succession and an official seal and, as such, the Public Trustee may sue and be sued in that name.

(2) The Public Trustee has the powers and duties given to or imposed upon it by statute and such further powers and duties as the Governor in Council may prescribe.

(3) The person appointed to be Public Trustee has the status of a Deputy Head.

(4) Where the Governor in Council, a Minister of the Government or a Court is empowered to appoint a guardian, custodian, trustee, executor or administrator, the Public Trustee, if it consents to act, may be so appointed.

(5) For administration purposes, the Public Trustee reports to the Minister of Justice.

GENERAL OBSERVATIONS

I am pleased to prepare and file the Public Trustee's Annual Report for the fiscal year ending March 31, 2002.

Although the staff complement has remained the same over the past five years the value of the assets under our management has increased over thirty-three percent. At the end of the fiscal year 2001/02 the value of the assets under management was $23,301,924.00. This is an increase of $2,392,274.00 in one year alone or a ten percent increase.

The number of active files under the Public Trustee's management also increased in the fiscal year from 453 to 501, a 9.6% increase (see Schedule "A"). The majority of the files are concentrated in the following areas: estates of deceased individuals (130), adult estates living (150) and infant estates living (164).

The Public Trustee also acts as a resource for information about guardianship, trust administration and deceased estates. We are contacted by the general public, health care workers, social workers, the judiciary and the legal profession. The Public Trustee opened 234 inquiry files in the 2001/02 fiscal year.

I am pleased to also have assisted the government as a member of the advisory committee drafting the new *Probate Act* implemented by the government in October, 2001.

The Public Trustee also protects the financial interests and estates of infants in this province for whom no legal guardian of the estate has been appointed by the court or a trust document. I am pleased to serve this role. With the experience gained in this area I was able to assist the government in the study and drafting of the *Guardianship Act* which was introduced in the legislative spring session of the House of Assembly. I am proud to say the new legislation truly protects the financial assets of Nova Scotia children.

The Public Trustee of Nova Scotia is a member of the Association of Guardians and Public Trustees of Canada. In May I am pleased to have hosted in Halifax the Biennial conference of the Association. Visiting delegates to the conference were from every province and territory (including Nunavut) as well as from England. The valuable exchange of information assists all of us to carry out our responsibilities as trustees.

Public expenditures for the general operating costs of the Public Trustee program including rent are funded by allocations from one of the global appropriations voted to the Department of Justice. Funding projected and actually allocated to the Public Trustee program for the fiscal period ended March 31, 2002 was as follows:

FISCAL PERIOD	FORECAST	ACTUAL
ended March 31, 2002	$686,000.00	$671,063.00

The Public Trustee was able to reduce the costs of running the Public Trustee program by carefully watching and screening all its expenditures.

The Public Trustee earns revenue from the performance of its duties as trustee/guardian of living estates and as administrator of deceased estates. The revenue earned from these services in this fiscal year is $442,321.00. We exceeded our projected revenue target of $420,000.00. This revenue is applied toward the costs of operating the Public Trustee program.

The Public Trustee also earned revenue and income in its Special Reserve Fund in the amount of $69,092.00. This revenue is credited to the general revenue of the province

Totalling the fees the Public Trustee earned from its trustee/guardian/administrator services and the income earned from its Special Reserve Fund the total income earned by the Public Trustee equalled $511,413.00.

Taking into account the total revenue earned from all sources by the Public Trustee the cost of running this valuable service was $159,650.00.

The Public Trustee acknowledges and thanks its staff members who have continued to provide courteous effective service to clients and who have wholeheartedly involved themselves in their responsibilities. Without their expertise and commitment the Public Trustee would not have been able to attain its many goals.

LAWS AND AMENDMENTS SIGNIFICANT TO THE PUBLIC TRUSTEE PROGRAM

HOSPITALS ACT

Section 59 and related sections of the *Hospitals Act* proclaimed in force April 1, 1979 created a mechanism whereby the Public Trustee, being notified by a hospital to do so, may "assume management" of the estate of a patient who has no guardian and is unable to administer his own estate. Hospital officials and community care officials had been leading proponents of that mechanism. They implemented it immediately. It became and continues to be the source of many of the Public Trustee's growing caseload of adults' estates (living). Of the 44 new adults' estates (living) files opened in the fiscal year ending March 31, 2002, 27 or 61% originated from Section 59 referrals. Many of the individuals referred to the Public Trustee require the services of a full time guardian under the *Incompetent Persons Act.* In such cases the Public Trustee on its own initiative may apply for this appointment.

On some occasions, the referrals from the hospitals do not become permanent files in the

Public Trustee Office. However, the Public Trustee, through its investigative powers does assist the hospitals and the Department of Health to ascertain the extent of the patients' assets and incomes. This is crucially important if the patient requires placement in a nursing care facility.

ADULT PROTECTION ACT

Enacted and in force in 1985 this statute contains special references to the Public Trustee being notified by the Minister of Community Services, or designate, S.13, or by the Family Court S.9(4), to intervene in the estate of one who is thought to be (or adjudged by the Court to be) "an adult in need of protection". The effect of S.13 is similar to the effect of S.59 of the *Hospitals Act* in that it authorizes and empowers the Public Trustee to assume immediate management of the estate of a living adult. Section 9(4) merely identifies a case in which the Public Trustee might invoke its standing (*Public Trustee Act*, S.5) to seek an *Incompetent Persons Act* Guardianship Order in respect to the estate of one who has been adjudged to be an adult in need of protection.

The Public Trustee received 15 referrals from Adult Protection in the fiscal year covered by this report. The workers have come to recognize which files require the protective intervention of the Public Trustee. The Public Trustee has developed a good working relationship with the adult protection workers thus providing better services to those in need.

During the reporting fiscal year I also was a lecturer/presenter at an educational conference held for adult protection workers from around the province. This type of exchange encourages better working relationships between the Public Trustee's office and the Adult Protection Program.

POWERS OF ATTORNEY ACT

Enacted in 1988 to validate "enduring Powers of Attorney" the *Powers of Attorney Act*, c.352, R.S.N.S. 1989 contains references to the Public Trustee. Section 4 provides that the attorney and not the Public Trustee shall administer a patient's estate pursuant to S.59 of the *Hospitals Act* if the instrument of enduring power of attorney "includes a provision expressly excluding the operation of subsection (2) of Section 59 and the attorney wishes to act".

Subsection (2) of s. 5 provides that an attorney shall, when the Court so orders, submit his accounts to the Public Trustee for approval.

Subsection (3) of s. 5 provides that an attorney may apply to the Court for an Order substituting another person as attorney upon giving notice of the application to the Public Trustee.

Subsection (4) of s .5 provides that if an attorney voluntarily submits his accounts to the Public Trustee the Public Trustee "shall consider the accounts when submitted".

The courts have not utilized Sections 5(2) and (4) during the past fiscal year. Nevertheless, the Public Trustee does receive many calls from the public seeking general information about Enduring Powers of Attorney. Many of these calls deal with the questions of accountability and the concerns individuals have on the manner the attorney is managing the trust funds.

DESIGNATED RESIDENCE PROVISIONS - IN AMENDMENT TO THE *SOCIAL ASSISTANCE ACT*

The purpose of this amendment is to protect from liability to respond to nursing home care costs the principal residence (designated residence) of one who must leave that residence to reside in a nursing home. When the amendment was proclaimed in 1988 the Public Trustee carried on its inventory of estates' assets 15 properties eligible for designation pursuant to S.8 of the *Social Assistance Act*. This has been a floating inventory. It expands or shrinks unpredictably as properties are added or disposed of. As at March 31, 2002 the Public Trustee carried 20 such properties.

Most designated residences on our caseload are vacant and will remain vacant indefinitely in consequence of the owners being in need of nursing home care. Prior to the subject amendment a trustee or guardian being responsible to manage the estate would try to manage the residence productively, or if productive management proved to be impracticable, sell the residence to pay debts or to protect the estate from loss through waste and dilapidation. Further, if incomes of the estate were not sufficient to cover care costs and other capital assets were depleted, the residence would be sold to provide for care costs. The amendment has created a series of dilemmas for the Public Trustee as to when a residence should be disposed of, as to how it should be managed or maintained in the meantime, and as to who among persons potentially to become heirs-at-law or testamentary beneficiaries should be permitted use, occupancy or control of it.

In some cases the Public Trustee has had to sell a client's designated residence due to the lack of funds to maintain the residence (all the client's income must be used to pay nursing home care costs). The Supreme Court has ruled that if the designated residence is sold, for whatever reason, the funds are subject to respond to care costs.

COMPENSATION FOR VICTIMS OF CRIME ACT

The Criminal Injuries Compensation Board as constituted in 1981 under the *Compensation for Victims of Crime Act*, when making an award payable to a minor or to an adult who "is of unsound mind or in the opinion of the Board is incapable of managing his own affairs"

may order that the award be paid to the Public Trustee in trust for the victim; S.31(3).

The *Compensation for Victims of Crime Act* and the *Victims' Rights and Services Act* were amended in the 1992 session of the Nova Scotia legislature. As a result of these amendments there has been a significant change in the process in which compensation awards are to be paid. The Criminal Injuries Compensation Board has been disbanded.

In the 1981 legislation the awards entrusted to the Public Trustee's office were monetary awards for pain and suffering. Under the new legislation the monetary awards for pain and suffering have been replaced with awards for counselling services.

The new legislation does allow other types of lump sum awards and there is the provision that these awards may be paid to the Public Trustee to be administered for the benefit of the person. During the past fiscal year no such referrals have been made. The Public Trustee continues to administer a number of trusts referred to it under the previous legislation. As each child reaches the age of majority the trust funds are surrendered to the child.

VOLUME AND PROGRESS OF CASELOAD

The number of files opened and the number of files closed during the fiscal year changed insignificantly over the previous fiscal year, the only significant change being an increase in the number of living estates opened (see Schedules, "A", "B", "C" and "D").

The Public Trustee has had 234 "Inquiry" referrals. The Public Trustee provides information and guidance to the public and lawyers with cases which potentially could come to the Public Trustee for action. This provision of information is one of the important mandates of the Public Trustee Office. This service does not generate any fees for the office although it does entail significant time commitment.

Each living estate continues under administration until the principal is no longer under legal disability, dies or until his/her capital and income are exhausted. A living estate presents all of the problems related to ascertainment, realization and distribution of property likely to arise in the course of administering a deceased's estate plus a multitude of problems related to the lifetime needs of the client. The living estates caseload represents an extremely heavy demand upon resources.

REVENUE

See Schedules "E" and "E1".

The fees earned by the Public Trustee for managing adults living and infants trusts are based on a scale suggested by the Supreme Court. Fees awarded by the Probate Court

in deceased estates are based on a percentage of the estate assets. There has been a continued increase in fees earned over the years. There has been a 25.5% increase in fees earned in the past five years. These fees help finance the operational costs of the Public Trustee program.

Efforts are being taken by the Public Trustee and its staff to work as efficiently as possible in the hope that it will be able to undertake and administer the estates which require our assistance and still reduce the costs of the program to the Province of Nova Scotia.

GUARDIANSHIP OF PERSONS

CONSENT TO MEDICAL/SURGICAL TREATMENT

Since proclamation in 1979 of s. 54(2) and s. 60(2) of the *Hospitals Act* the Public Trustee has been eligible, *ex officio*, to consent to treatment of a mentally incapacitated hospital patient who has no guardian, spouse or next-of-kin available and willing to consent.

No resources have been allocated to assist the Public Trustee specifically in that function. It would be beneficial to have resources to obtain independent medical opinions in some of the matters referred to the Public Trustee for consent to treatment. Applications for consent tend to be presented urgently and on short notice. The Public Trustee refuses to consider any application for consent before the applicant has exhausted all reasonable efforts to locate and obtain the consent of another who is eligible to consent on behalf of the patient. The number of medical consents sought from the Public Trustee was 16.

It is also important to note that the Public Trustee only has power to give consent to treat a patient while in a hospital. It has no power to consent to treat incompetent people who are out in the community. The Province of Nova Scotia does not have an Official Guardian. I have received numerous calls from the public and social workers concerning the void that does exist in the provincial system. I believe this is an area that the Province of Nova Scotia should review. The implementation of a properly funded Official Guardian Office is highly recommended. The need for this program will continue to grow as the population of Nova Scotia grows older and the impact of the baby boomer population will be felt in the not too distant future.

REPRESENTATIVE LITIGATION

The Public Trustee is eligible for appointment to act as guardian *ad litem* or representative in litigation of mentally incompetent adults, minors, missing persons, unascertained persons and estates of deceased persons and any other interest entitled to sue or be represented in a proceeding. When acting pursuant to an *Incompetent Persons Act* Guardianship Order the Public Trustee is *ipso facto*, unless the court otherwise orders,

guardian *ad litem* of the incompetent. Further, to accommodate the Bar and the Court, the Public Trustee occasionally consents to act, if appointed by the Court to act, as guardian *ad litem* or representative of a person or deceased person or interest that is not otherwise on the Public Trustee's caseload (see Schedules "H" and "H1"). No resources have been allocated to the Public Trustee specifically for that function. No fees are awarded to the Public Trustee by the courts if this appointment is undertaken. This type of appointment is normally a major time commitment on behalf of the Public Trustee.

RENUNCIATION

In certain fact situations, more particularly defined in Sections 15, 23 and 24 of the *Public Trustee Act* and in Section 32 of the *Probate Act*, the Public Trustee "is entitled to apply for and to receive a grant of letters of administration or letters of administration with will annexed of the estate" of a deceased person "in priority to all other persons". The Public Trustee will on occasion renounce its priority if it feels that the administration of the estate can be properly conducted by the party seeking administration. By virtue of s. 36 of the *Public Trustee Act* the Public Trustee is empowered in a case where "the Public Trustee is entitled to take out letters of administration 'to' authorize and appoint administration" and "the Court of Probate shall upon the application of a person so authorized and appointed by the Public Trustee as aforesaid grant to such applicant letters of administration". Customarily the Public Trustee declines to function pursuant to s. 36 of the *Public Trustee Act* and prefers to leave the determination to the Court of Probate. Twenty renunciations were given by the Public Trustee in the fiscal year ending March 31, 2002 (see Schedule "G").

NOVA SCOTIA Office of the Auditor General

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AUDITOR'S REPORT

To the Minister of Justice; and
To the Public Trustee

I have audited the balance sheet of the Public Trustee Trust Funds as at March 31, 2002 and the statement of continuity of assets for the year then ended. These financial statements are the responsibility of the Public Trustee. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In common with many trust funds, it is not possible to verify by audit procedure that all the assets of any given trust or income earned on trust assets came under the administration of or were recorded by the Public Trustee. Accordingly, my verification of trust assets was limited to those recorded in the records.

In my opinion, except for the effect of adjustments, if any, which I might have determined to be necessary had I been able to verify the completeness of assets of the trust funds, these financial statements present fairly, in all material respects, the financial position of the Public Trustee Trust Funds as at March 31, 2002 and the continuity of assets for the year then ended in accordance with Canadian generally accepted accounting principles.

E R Salmon

E.R. Salmon, F.C.A.
Auditor General

Halifax, Nova Scotia
May 23, 2002

PROVINCE OF NOVA SCOTIA
PUBLIC TRUSTEE TRUST FUNDS
BALANCE SHEET
AS AT MARCH 31, 2002

ASSETS

	2002	2001
Estates and Trusts		
Cash	$ 667,901	$ 1,079,254
Securities, real estate and other assets (Note 3)	19,860,851	17,288,339
Common Fund securities (Note 4)	1,414,794	1,249,794
	21,943,546	19,617,387
Special Reserve Fund (Note 5)		
Cash and securities	1,358,378	1,292,263
	$23,301,924	$20,909,650

LIABILITIES

Estates and Trusts		
Estates and trusts balances	$21,943,546	$19,617,387
Special Reserve Fund (Note 5)		
Restricted funds	1,299,008	1,223,171
Funds transferable to Province of Nova Scotia	59,370	69,092
	1,358,378	1,292,263
	$23,301,924	$20,909,650

APPROVED

Public Trustee
M. Estelle Theriault, Q.C.

PROVINCE OF NOVA SCOTIA
PUBLIC TRUSTEE TRUST FUNDS
STATEMENT OF CONTINUITY OF ASSETS
FOR THE YEAR ENDED MARCH 31, 2002

	Estates and Trusts	Special Reserve Fund	Fees Earned	2002 Total	2001 Total
Balance, beginning of year	$19,617,387	$ 1,292,263	$ -	$20,909,650	$19,455,230
Add:					
Assets acquired during the year	11,777,603	-	-	11,777,603	12,737,683
Income earned	794,516	-	-	794,516	789,182
Fees earned	-	-	442,321	442,321	462,175
Interest earned on Special Reserve Fund investments	-	59,370	-	59,370	69,092
Excess interest transferred from Common Fund	-	75,837	-	75,837	87,129
	12,572,119	135,207	442,321	13,149,647	14,145,261
Less:					
Distributions of estates and trusts	10,195,468	-	-	10,195,468	11,851,306
Transfers to the Province					
Fees	-	-	442,321	442,321	462,175
Undistributable estates and trusts (per Section 28)	50,492	-	-	50,492	320,789
Investment income earned on Special Reserve Fund	-	69,092	-	69,092	56,571
	10,245,960	69,092	442,321	10,757,373	12,690,841
Balance, end of year	$21,943,546	$ 1,358,378	$ -	$23,301,924	$20,909,650

PROVINCE OF NOVA SCOTIA
PUBLIC TRUSTEE TRUST FUNDS
NOTES TO FINANCIAL STATEMENTS
MARCH 31, 2002

1. Authority

The Office of the Public Trustee was established pursuant to the Public Trustee Act. The Public Trustee is empowered to perform the duties of a guardian, custodian, trustee, and executor or administrator of an estate. All investments by the Public Trustee are to be made in accordance with the Trustee Act.

2. Accounting Policies

These financial statements have been prepared in accordance with Canadian generally accepted accounting principles, modified by the following policies.

a) The Office of the Public Trustee uses a cash basis of accounting. These financial statements do not include accrued interest and other receivables, as well as accrued fees and other payables.

b) The market value of stocks and bonds at year end is not disclosed in the financial statements.

3. Securities, Real Estate and Other Assets

Securities consist of deposit certificates, bonds, debentures and stocks. Securities purchased by the Public Trustee are valued at cost. Securities taken over by the Public Trustee are valued at market value as at the date of death for estates of deceased persons or as at the date that control is assumed for all other estates.

The Public Trustee is responsible for administering certain other assets such as real estate, personal effects and chattels. Real estate is valued at estimated market value based on annual assessments for municipal tax purposes. Personal effects and chattels are valued at estimated market value as at the date control is assumed. If market value is not readily ascertainable, they are each recorded at a nominal value of $1.

4. Common Fund Securities

Section 30 of the Public Trustee Act permits the Public Trustee to invest monies, not subject to any express trust or direction for investment thereof, in a Common Fund. Investments of the Common Fund are valued at cost.

PROVINCE OF NOVA SCOTIA
PUBLIC TRUSTEE TRUST FUNDS
NOTES TO FINANCIAL STATEMENTS
MARCH 31, 2002

5. Special Reserve Fund

Section 32 of the Public Trustee Act provides for the establishment of a Special Reserve Fund. The purposes of the Fund are to provide for any deficiencies between income earned on investments of the Common Fund and interest required to be paid to estates comprising the Common Fund; and also to provide for any deficiency between the aggregate amount of sums invested and the realized value of investments of the Common Fund.

The Fund consists of investment income earned on Common Fund securities in excess of interest paid to Common Fund estates. Income earned on securities held in the Special Reserve Fund also forms part of the Fund.

Income earned on securities held in the Special Reserve Fund is eligible for transfer to the Province. The remainder of the Fund is restricted to the purposes described above.

6. Operating Costs

Operating costs of the Office of the Public Trustee are absorbed by various government departments and are not reflected in the statement of continuity of assets. These costs are offset by fees charged for administering estates and by investment income.

	2002	2001
Department of Justice		
- Salaries and benefits	$ 593,596	$ 590,536
- Other operating costs	33,978	39,300
- Rent	41,519	-
Department of Transportation and Public Works		
- Rent	-	35,765
	669,093	665,601
Less transfers to Province		
- Fees	442,321	462,175
- Special Reserve Fund income	69,092	56,571
	511,413	518,746
Net cost to the Province	$ 157,680	$ 146,855

PUBLIC TRUSTEE STATISTICS

SCHEDULE "A"

CASES ACTIVE AS OF MARCH 31, 2002

ESTATES AND TRUSTS

Estate of Deceased	Adult's Estate (Living)	Infant's Estate (Living)	Undistributable Estate or Trust	Missing Person's Estate	*Patients' Abandoned Property Act*	Specific Trust	TOTAL
130	150	164	2	4	2	11	463

REPRESENTATIVE LITIGATION

Presumption of Death Act	Missing/ Unascertained Person	*Survival of Actions Act*	Guardian *ad litem* of Incompetent Adult	Guardian *ad litem* of Infant	
3	1	31	1	2	38
				GRAND TOTAL:	**501**

REQUESTS, COMPLAINTS, INQUIRIES, LITIGATION, REFERRALS

Individual General Inquiries April 1, 2001 - March 31, 2002	**TOTAL:**	**234**

PUBLIC TRUSTEE STATISTICS

SCHEDULE "B"

VOLUME AND PROGRESS OF CASELOAD FROM YEAR TO YEAR - ESTATES AND TRUSTS ONLY

FISCAL YEAR	VOLUME AT START	NEW CASES ADDED	CASES CLOSED	VOLUME AT YEAR END
April 1/01 - March 31/02	421	156	114	463
April 1/00 - March 31/01	415	144	138	421
April 1/99 - March 31/00	440	110	135	415
April 1/98 - March 31/99	456	125	141	440
April 1/97 - March 31/98	435	132	111	456

PUBLIC TRUSTEE STATISTICS

SCHEDULE "C"

BREAKDOWN OF CASES CLOSED - ESTATES AND TRUSTS

FISCAL YEAR ENDING:	ESTATE OF DECEASED	ADULT'S ESTATE (LIVING)	INFANT'S ESTATE (LIVING)	UNDISTRIBUTABLE ESTATE OR TRUST	MISSING PERSON'S ESTATE	*PATIENTS' ABANDONED PROPERTY ACT*	SPECIFIC TRUST	TOTAL
March 31/02	53	36	21	2	Nil	1	1	114
March 31/01	52	51	22	5	5	1	2	138
March 31/00	62	38	24	3	0	2	6	135
March 31/99	57	54	23	4	1	0	2	141
March 31/98	43	37	22	3	1	2	3	111

PUBLIC TRUSTEE STATISTICS

SCHEDULE "D"

BREAKDOWN OF NEW CASES ADDED - ESTATES AND TRUSTS

FISCAL YEAR ENDING:	ESTATE OF DECEASED	ADULT'S ESTATE (LIVING)	INFANT'S ESTATE (LIVING)	UNDISTRIBUTABLE ESTATE OR TRUST	MISSING PERSON'S ESTATE	*PATIENTS' ABANDONED PROPERTY ACT*	SPECIFIC TRUST	TOTAL
March 31/02	71	44	38	1	Nil	1	1	156
March 31/01	72	29	33	7	1	1	1	144
March 31/00	55	32	19	2	Nil	1	1	110
March 31/99	44	43	25	2	4	1	6	125
March 31/98	68	42	14	2	3	1	2	132

PUBLIC TRUSTEE STATISTICS

SCHEDULE "E"

FUNDS TRANSFERRED TO DEPARTMENT OF FINANCE

YEAR ENDING	PUBLIC TRUSTEE FEES	SPECIAL RESERVE FUND INVESTMENT INCOME	SECTION 28
	Revenue *1	Revenue	Trust Funds *2
March 31, 2002	$442,321.00	$69,092.00	$50,492.00
March 31, 2001	$462,175.00	$56,571.00	$320,789.00
March 31, 2000	$436,820.00	$58,036.00	$173,115.00
March 31, 1999	$376,060.00	$46,882.00	$749,865.00
March 31, 1998	$369,413.00	$55,241.00	$232,773.00

*1 Fees of counsel and solicitor, proctor's fees, administrator's commission collected from estates.

*2 May be subject of claims, *Public Trustee Act*, s. 35.

PUBLIC TRUSTEE STATISTICS

SCHEDULE "E1"

YEAR ENDING	COMMON FUND INVESTMENT INCOME TRANSFERRED TO SPECIAL RESERVE FUND	SPECIAL RESERVE FUND ACCUMULATED NON-TRANSFERABLE EQUITY
March 31, 2002	$75,837.00	$1,299,008.00
March 31, 2001	$87,129.00	$1,216,949.00
March 31, 2000	$79,504.00	$1,136,042.00
March 31, 1999	$85,386.00	$1,056,537.00
March 31, 1998	$55,208.00	$971,151.00

PUBLIC TRUSTEE STATISTICS

SCHEDULE "F"

CONSENT TO MEDICAL/SURGICAL TREATMENT

YEAR ENDING	NUMBER OF CONSENTS
March 31, 2002	16
March 31, 2001	22
March 31, 2000	23
March 31, 1999	29
March 31, 1998	13

SCHEDULE "G"

RENUNCIATIONS

YEAR ENDING	NUMBER OF RENUNCIATIONS
March 31, 2002	20
March 31, 2001	25
March 31, 2000	22
March 31, 1999	6
March 31, 1998	14

PUBLIC TRUSTEE STATISTICS

SCHEDULE "H"

REPRESENTATIVE LITIGATION CASES OPENED

FISCAL YEAR ENDING:	*PRESUMPTION OF DEATH ACT*	MISSING/ UNASCERTAINED PERSON	*SURVIVAL OF ACTIONS ACT*	GUARDIAN *ad litem* OF INCOMPETENT ADULT	GUARDIAN *ad litem* OF INFANT	TOTAL
March 31, 2002	2	Nil	4	1	1	8
March 31, 2001	Nil	Nil	2	Nil	1	3
March 31, 2000	Nil	Nil	2	1	1	4
March 31, 1999	2	1	4	Nil	Nil	7
March 31, 1998	Nil	1	4	Nil	Nil	5

PUBLIC TRUSTEE STATISTICS

SCHEDULE "H1"

REPRESENTATIVE LITIGATION CASES CLOSED

FISCAL YEAR ENDING:	*PRESUMPTION OF DEATH ACT*	MISSING/ UNASCERTAINED PERSON	*SURVIVAL OF ACTIONS ACT*	GUARDIAN *ad litem* OF INCOMPETENT ADULT	GUARDIAN *ad litem* OF INFANT	TOTAL
March 31, 2002	Nil	Nil	Nil	1	1	2
March 31, 2001	2	Nil	11	Nil	3	16
March 31, 2000	Nil	1	1	Nil	Nil	2
March 31, 1999	Nil	Nil	2	Nil	1	3
March 31, 1998	Nil	Nil	1	1	Nil	2